UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

	JEIS DIVISION
CHRISTOPHER RIDDLE,)
Plaintiff,)
v.) No. 1:17-cv-03710-TWP-MJD
MATT MYERS Sheriff,)
Defendant.)

Entry Granting Motion for Leave to File Amended Complaint and Directing Service of Process

The plaintiff's motion for leave to file amended complaint, dkt. [15], **is granted**. The **clerk is directed** to docket the proposed complaint, dkt. [15-1], as the amended complaint in this action.

The plaintiff is a prisoner currently incarcerated at the Bartholomew County Jail. Because the plaintiff is a "prisoner" as defined by 28 U.S.C. § 1915(h), this Court has an obligation under 28 U.S.C. § 1915A(b) to screen his amended complaint. Pursuant to 28 U.S.C. § 1915A(b), the Court must dismiss the complaint if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief. In determining whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Lagerstrom v. Kingston*, 463 F.3d 621, 624 (7th Cir. 2006). To survive dismissal,

[the] complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.

Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). Pro se complaints such as that filed by the plaintiff are construed liberally and held to a less stringent standard than formal pleadings drafted by lawyers. *Obriecht v. Raemisch*, 517 F.3d 489, 491 n.2 (7th Cir. 2008).

The plaintiff amended his complaint to add nine new defendants. First, he alleges that seven

corrections officers have implemented discriminatory disciplinary sanctions at the direction of

defendant Sheriff Matt Myers. Those officers are Sgts. Weaver and Reed, Lt. Stillabower, and

Officers Fippen, Greenly, Tooley and Searles. The plaintiff's allegations against these defendants

are sufficient to support an equal protection claim on the basis of gender, as discussed in the first

screening entry of November 29, 2017.

The plaintiff's claim against Bartholomew County Commissioners is **dismissed**. The basis

of the plaintiff's claim against Bartholomew County Commissioners is that the county

commissioners are responsible for the policies of the sheriff's department and responsible for the

training of sheriff deputies. The plaintiff is mistaken. Bartholomew County Commissioners are

not responsible for setting or implementing policy within the Sheriff's Department. Estate of

Drayton v. Nelson, 53 F.3d 165, 167-68 (7th Cir. 1994); Donahue v. St. Joseph County, 720

N.E.2d 1236, 1241 (Ind. Ct. App. 1999).

The clerk is **designated** pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants

Sgts. Weaver and Reed, Officers Fippen, Greenly, Tooley and Searles, and Lt. Stillabower in the

manner specified by Fed. R. Civ. P. 4(d). Process shall consist of the amended complaint,

applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver

of Service of Summons), and this Entry.

IT IS SO ORDERED.

Date: 1/17/2018

TANYA WALTON PRATT, JUDGE

Danze Walton Craft

United States District Court

Southern District of Indiana

Distribution:

CHRISTOPHER RIDDLE Bartholomew County Jail 543 2nd Street Columbus, IN 47201

All Electronically Registered Counsel

Sgt. WEAVER Bartholomew County Jail 543 2nd Street Columbus, IN 47201

Sgt. REED Bartholomew County Jail 543 2nd Street Columbus, IN 47201

Officer FIPPEN Bartholomew County Jail 543 2nd Street Columbus, IN 47201

Officer GREENLY Bartholomew County Jail 543 2nd Street Columbus, IN 47201

Officer TOOLEY Bartholomew County Jail 543 2nd Street Columbus, IN 47201

Officer SEARLES Bartholomew County Jail 543 2nd Street Columbus, IN 47201

Lt. STILLABOWER Bartholomew County Jail 543 2nd Street Columbus, IN 47201